



# Los Angeles County Department of Regional Planning

*Planning for the Challenges Ahead*



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Regional Planning

October 27, 2020

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**HEARING ON THE INTERIM AND SUPPORTIVE HOUSING ORDINANCE  
PROJECT NO. PRJ2020-000266  
ADVANCE PLANNING CASE NO. RPPL2020001408  
ENVIRONMENTAL ASSESSMENT NO. RPPL2020001409  
(ALL SUPERVISORIAL DISTRICTS) (3-VOTES)**

**SUBJECT**

The recommended actions are to approve a revised Addendum to a previously certified Final Environmental Impact Report (EIR) and the Interim and Supportive Housing Ordinance (Ordinance), which amends Title 22 (Planning and Zoning) of the Los Angeles County Code (County Code). The proposed Ordinance encourages the development of housing for people experiencing homelessness (shelters, transitional housing, and supportive housing) by streamlining the approval of such development through a ministerial review process, and supports temporary vehicle living where appropriate in the unincorporated areas of Los Angeles County. A project summary is included as Attachment 1, and the proposed Ordinance is included as Attachment 2.

**IT IS RECOMMENDED THAT THE BOARD, AFTER THE PUBLIC HEARING:**

1. Certify that the revised Addendum to the EIR for the General Plan Update (Environmental Assessment No. RPPL2020001409) (Attachment 4), has been completed in compliance with the California Environmental Quality Act (CEQA) and reflects the independent judgment and analysis of the County of Los Angeles (County); find that the Board of Supervisors (Board) has reviewed and

considered the information contained in the revised Addendum with the EIR prior to approving the project, and approve the revised Addendum;

2. Indicate its intent to approve the Project (Advance Planning Case No. RPPL2020001408), as recommended by the Regional Planning Commission (RPC), and with modifications as proposed by the Department of Regional Planning staff (staff); and
3. Instruct County Counsel to prepare the necessary final documents amending Title 21 and Title 22 of the County Code for the Project, and bring them back to the Board for their consideration.

### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

Approval of the recommended actions will approve a revised Addendum to the previously certified General Plan Update EIR and allow the County to streamline the review process for housing for people experiencing homelessness (shelters, transitional housing and supportive housing), and support temporary vehicle living where appropriate in unincorporated Los Angeles County.

In 2016, the County passed the Homeless Initiative, a comprehensive plan to address homelessness through social services, funding, and land use strategies. As part of that comprehensive plan, the County funded a report on California Senate Bill (SB) 2, which is a bill approved in 2007 that removes zoning barriers to the development of shelters, and transitional and supportive housing. The report analyzes the County Code and provides recommendations for SB 2 compliance and for further encouraging the development of shelters, and transitional and supportive housing in the County's unincorporated areas (Attachment 9).

On February 20, 2018, the Board approved a motion directing the Department of Regional Planning to prepare an ordinance to remove zoning obstacles to encourage and incentivize permanent supportive housing, including motel conversions; to comply with SB 2 (2007), removing barriers to homeless shelters, and transitional and permanent supportive housing in the zoning code and other County Code titles, and considering fair housing and reasonable accommodations.

Subsequent notable changes in the State law include Assembly Bill (AB) 2162, which became effective on January 1, 2019, and AB 101, which became effective on July 31, 2019. AB 2162 requires by-right, streamlined review of supportive housing on properties where multifamily and mixed uses are permitted, if the supportive housing development meets certain criteria. AB 101 requires by-right, streamlined review of shelters in nonresidential zones that permit multifamily housing, if the shelter meets certain criteria.

On July 22, 2020, the RPC held a public hearing and voted unanimously to recommend approval of the proposed Ordinance as presented. On August 5, 2020, the Airport Land Use Commission (ALUC) held a public hearing and found that the proposed Ordinance is consistent with the County Airport Land Use Plan, General William J. Fox Airfield Land Use Compatibility Plan, and the Brackett Field Airport Land Use Compatibility Plan. A summary of RPC and ALUC proceedings is included as Attachment 6. The RPC's resolution and the ALUC's findings and order are included as Attachments 7 and 8, respectively.

### **Key Components**

The proposed Ordinance includes the following key components:

#### **Shelters:**

- ***Expand by-right review of shelters.*** The proposed Ordinance allows emergency shelters in Zones A-1 and A-2 on lots that meet certain criteria pertaining to lot size and location, subject to a Ministerial Site Plan Review (SPR). The proposed Ordinance also changes the review type of emergency shelters from a Conditional Use Permit (CUP) to an SPR in Zones C-H and C-MJ; and changes the review type of domestic violence shelters from a CUP to an SPR in Zone C-M to align with the review type for emergency shelters.
- ***Allow accessory shelters.*** The proposed Ordinance allows government or nonprofit organizations to establish accessory shelters (meaning a shelter that serves as an ancillary use to the permitted principal use on the same lot(s), such as a religious facility) by right in zones where emergency shelters are permitted by right, and additionally in Zones A-1, A-2, R-A, R-1, R-2 and C-R, subject to an SPR. The proposed Ordinance also allows accessory shelters in Zone M-2.5, subject to a CUP.
- ***Remove regulatory barriers.*** The proposed Ordinance removes barriers to the development of shelters, including maximum occupancy restrictions and allows modification of development standards for shelters proposed within existing buildings.
- ***Streamline review.*** The proposed Ordinance imposes a 60-day time limit for the review applications for shelters subject to an SPR.
- ***Exempt applications for an SPR for shelters and accessory shelters from planning fees.***

*Motel conversions to shelters and transitional housing:*

- **Project requirements.** The proposed Ordinance requires that applicable projects may not be located within a Very High Fire Hazard Severity Zone (VHFHSZ), and identifies additional criteria pertaining to income restriction and supportive services for transitional housing projects.
- **Permanent conversion of hotels, motels, and youth hostels to shelters and transitional housing.** The proposed Ordinance allows permanent conversions by right in Zones R-2, C-H, C-1, C-2, C-3, C-M, CM-J, and MXD-RU. Also, the permanent conversions do not require the correction of any nonconforming condition.
- **Temporary conversion of hotels, motels, and youth hostels to shelters and transitional housing.** The proposed Ordinance allows temporary conversions to shelters in all zones that allow emergency shelters by right, subject to an SPR, and additionally in Zones O-S, R-R, RA, R-1, R-2 and C-R, subject to an SPR. The proposed Ordinance also allows temporary conversions to transitional housing in Zones MXD, O-S, R-R, and all residential, commercial, and rural zones, subject to an SPR. Projects may convert back to the original use after the term of the transitional housing restrictions (10 to 20 years) expires. Additionally, the proposed Ordinance allows temporary conversions by right without correction of any nonconforming condition, and to maintain the nonconforming status after conversion back to the original use. Lastly, the proposed Ordinance enables pause on the CUP or Nonconforming Review grant term during the term of conversion.

*Motel conversions to supportive housing*

- The proposed Ordinance allows permanent conversions to supportive housing if the project is being reviewed through the supportive housing streamlining provisions of the proposed Ordinance, which aligns with AB 2162.

*Vehicle living*

- **Accessory Overnight Safe Parking:** In order to ensure a safe and healthy environment for vehicle occupants, the proposed Ordinance allows accessory overnight safe parking on existing parking lots, excluding parking as a transitional use, which serve a nonresidential use, and are located outside of the 70 or above decibel Community Noise Equivalent Level (dB CNEL) noise contour of an Airport Influence Area in all residential and commercial zones. Accessory overnight safe parking in Zones A-1, A-2, R-R, M-1, C-RU, MXD-RU, MXD and P-R, is subject to an SPR. Accessory overnight safe parking in Zones M-1.5, M-2 and M-2.5, is subject to a CUP. Furthermore, the proposed Ordinance requires compliance with

new development standards, and exempts the review of accessory overnight safe parking from planning fees.

- ***Occupied recreational vehicle parking during a shelter crisis:*** The proposed Ordinance allows an occupied recreational vehicle to park in the rear of lots with owner-occupied single-family residences in all agricultural and residential zones for the duration of a County-declared shelter crisis, subject to specific standards.
- ***Occupancy time limit for recreational vehicle parks:*** The proposed Ordinance removes the time limit for occupants in RV parks that are located outside of a VHFHSZ.

#### State law compliance

The proposed Ordinance includes provisions to align with State law, including but not limited to:

- Removal of proximity restrictions on residential care facilities that serve six or fewer persons;
- Addition of residential substance use recovery as a use, and permitting those that serve six or fewer persons where single-family residences are permitted; and
- Addition of mental health treatment facilities as a use, and aligning the review type with the review type for hospitals.

#### **ADDITIONAL STAFF RECOMMENDATIONS**

For clarification purposes, staff made revisions to the proposed Ordinance heard by the RPC on July 22, 2020. In addition, staff made revisions to the proposed Ordinance regarding the allowance of mobilehome parks as a by-right use, based on a revised understanding of, and to better reflect the legislative intent of AB 2162, and whether the qualifying supportive housing must be multi-family in order to trigger the by-right review provisions of AB 2162. These changes are shown in Attachment 3.

In addition, to be consistent with the County's guidelines for SB 743, effective July 1, 2020, staff revised the Addendum to the EIR for the General Plan Update to reference updated traffic impact analysis methods. These changes are shown in Attachment 5.

#### **Implementation of Strategic Plan Goals**

The proposed Ordinance supports the County's *Strategic Plan Goal I: Make Investments That Transform Lives; Objective I.1.5: Increase Affordable Housing Throughout L.A. County; Objective I.2.1 Provide Subsidized Housing for Vulnerable Populations* by

streamlining the approval of housing for people experiencing homelessness, and ensuring necessary services for vulnerable populations.

### **FISCAL IMPACT/FINANCING**

Adoption of the proposed Ordinance will not result in any significant new costs to the Department of Regional Planning or other County departments and agencies.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

The proposed Ordinance supports Goals 1 and 3 as well as Policies 1.2 and 4.1 of the County's adopted and state-certified Housing Element, in that it will reduce regulatory barriers and facilitate a range of housing, particularly for people experiencing homelessness, and ensure that necessary supportive services are provided to assist households to attain and maintain affordable and adequate housing throughout unincorporated areas.

In addition to the public hearing conducted by the RPC on July 22, 2020, a public hearing before the Board is required pursuant to Section 22.232.040.B.1 of the County Code. Required notice (Attachment 10) has been given pursuant to the procedures and requirements set forth in Section 22.222.180 of the County Code. Additionally, more than 1,100 members of the public have been notified via email. The email notification list is included as Attachment 11.

### **ENVIRONMENTAL DOCUMENTATION**

The Board certified the General Plan Update EIR on October 6, 2015 (State Clearinghouse No. 2011081042). The certified General Plan Update EIR is available at [planning.lacounty.gov/generalplan/eir](http://planning.lacounty.gov/generalplan/eir).

Based on the revised Addendum, the EIR, and other materials in the record, the County determines that the proposed Ordinance falls within the previously certified General Plan Update EIR as the proposed Ordinance has no new significant environmental impacts; no substantial increase in the severity of previously identified significant effects; no mitigation measures or alternatives previously found infeasible and now feasible; and no mitigation measures or alternatives which are considerably different from those in the EIR. Thus, neither a subsequent nor supplemental EIR is required. However, some changes or additions are necessary to the EIR, making this revised Addendum the appropriate CEQA document for the proposed Ordinance.

There are no changes that require further review under CEQA.

The required fee, if any, to the California Department of Fish and Wildlife was paid for in conjunction with the previously certified EIR.

Upon your Board's approval of the proposed Ordinance, staff will file a Notice of Determination with the County Clerk in accordance with section 21152 of the California Public Resources Code.

**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

Approval of the proposed Ordinance will not significantly impact County services.

Should you have any questions, please contact Heather Anderson in the Housing Policy Section at (213) 974-6417, or [handerson@planning.lacounty.gov](mailto:handerson@planning.lacounty.gov).

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'A. Bodek', with a long horizontal flourish extending to the right.

Amy J. Bodek, AICP  
Director of Regional Planning

AJB:BS:CC:TF:HA:el

Attachments:

1. Project Summary
2. Draft Ordinance
3. Draft Ordinance (redlined)
4. Addendum to the certified Los Angeles County General Plan Update Final Environmental Impact Report
5. Addendum to the certified Los Angeles County General Plan Update Final Environmental Impact Report (redlined)
6. Regional Planning Commission and Airport Land Use Commission Hearing Proceedings
7. Regional Planning Commission Resolution
8. Airport Land Use Commission Findings and Order
9. Senate Bill 2 (2007): Affirmatively Advancing Solutions to Homelessness
10. Hearing Notice
11. Notification List (email)

c: Executive Office, Board of Supervisors  
County Counsel  
Chief Executive Office  
Public Works  
Fire Department  
County Development Authority

The Honorable Board of Supervisors  
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